S.B. Civil Second Appeal No.60 Of 1997.

Smt.Rama Devi & Others Vs. Mukut Lal

Date Of Order ::: 30.10.2006.

Hon'ble Mr. Narendra Kumar Jain J.

Mr. J.P. Goyal, Counsel for defendant-appellants.

By the Court :

Heard learned counsel for the defendant-appellants.

The plaintiff-respondent filed a suit for permanent injunction, which was partly decreed by the Lower Court. Being aggrieved with the same, an appeal was preferred by the defendants, which was dismissed by the First Appellate Court. This second appeal has been preferred by the defendants.

I have considered the submissions of learned counsel for the defendant-appellants and I find that the controversial issues involved in the present case are relating to the question of facts and there is a concurrent finding of fact recorded by both the Courts below in this regard, which cannot be interfered with

by this Court in second appeal under Section 100 of the C.P.C.

No substantial question of law is involved in this second appeal.

Consequently, the second appeal is dismissed at the admission stage itself with no order as to costs.

(Narendra Kumar Jain) J.

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